

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BILLY R. WILLIAMS, }  
{}  
Plaintiff, } Civil Action No. 03-239 Erie  
{}  
v. } Judge Cohill  
{}  
PENNSYLVANIA STATE POLICE, AN }  
AGENCY OF THE COMMONWEALTH }  
OF PENNSYLVANIA, }  
{}  
Defendant. }

**DEFENDANT'S RESPONSE TO  
PLAINTIFF'S MOTION IN LIMINE (DOC. # 42)**

AND NOW, comes the defendant, the Pennsylvania State Police, by its attorneys, Scott A. Bradley, Senior Deputy Attorney General, and Susan J. Forney, Chief Deputy Attorney General, Chief Litigation Section, and makes the following response to the Motion in Limine *Exclude/Strike Defendant's Proposed Exhibit 61* (Doc. # 42) heretofore filed by the Plaintiff:

1. Plaintiff, Billy R. Williams ("Williams" or "Plaintiff"), has brought the instant suit under Title VII, alleging discrimination in employment by his employer, the Pennsylvania State Police ("PSP"). Williams has alleged that the PSP permitted a racially hostile workplace to be engendered at its Mercer Station and Troop D Butler Headquarters, and that he was also subjected to disparate treatment based on his race.
2. In advance of trial, Plaintiff has filed a motion *in limine* and supporting brief (Docs. # 42-43), seeking therein to exclude Defendant's Proposed Exhibit 61, which is the PSP's Equal Employment Plan for 1999. See Plaintiff's Exhibit 1.
3. The Defendant has reviewed this document and, in consideration of the statements contained in Plaintiff's instant motion, determined that it will not use this document in its

defense of this case. Accordingly, the Defendant does not oppose Plaintiff's Motion in Limine at Docket Entry 42.

WHEREFORE, the Defendant respectfully submits that it does not oppose Plaintiff's Motion in Limine at Docket Entry 42.

Respectfully submitted,

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s/ Scott A. Bradley

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Date: December 6, 2007